

## **SUBDIVISION MEETING**

### **January 10, 2002**

Commissioner Murray called the meeting to order at 9:00am.

Commissioners Varone and Loendorf were present. Others attending all or a portion of the meeting included Ron Alles, Cheryl Green, Frank Rives, Sharon Haugen, Joan Miles and Carole Byrnes.

Pledge of Allegiance. Everyone recited the pledge.

Minutes. (cont. from 01/08/02) Commissioner Loendorf moved to approve the minutes from August 7, 28, September 4, 6, 11, 13, October 2, 4, 25, and November 29, 2001. Commissioner Varone seconded the motion and it carried unanimously.

Health Department Contract. (cont. from 01/08/02) Chairman Murray stated that this contract is between the Health Department and School District #1 for Dr. Will Snider to act as Medical Advisor. Joan Miles reported that Dr. Snider would be acting in an administrative and advisory capacity to the School District. The agreement is in the amount of \$1,200 and will continue to June 30, 2002. The school district has stated that if the amount of work increases, they would be willing to re-negotiate the contract. Commissioner Varone moved that the Commission approve the contract and authorized the chairman to sign. Commissioner Loendorf seconded the motion and it carried unanimously.

Final Plat Approval for the Crestwood Green Subdivision. Frank Rives reported that the applicants have met all requirements of the conditions of approval and have completed all of their improvements prior to December 31<sup>st</sup>, so they are not obligated to have the improvements certified by a registered engineer. Staff recommended approval of the final plat. By consensus, the Commissioners agreed to sign the final plat after the meeting.

Gravel/Sand Contract. Commissioner Murray stated that the contract with James McMaster is to allow the county to obtain gravel from Mr. McMaster's property through December 31, 2004. Commissioner Loendorf moved to approve the contract and authorized the chair to sign. Commissioner Varone seconded the motion and it carried unanimously.

Proposed Letter to Senator Max Baucus Re: Wind Energy. The letter supports Sen. Harry Reid's extension of the Wind Energy Tax Credit. Commissioner Varone moved to approve the letter and authorized the chairman to sign. Commissioner Loendorf seconded the motion and it carried unanimously. Following the motion, the Commissioners agreed to each sign the letter, and also send original letters to Senator Burns and Congressman Rehberg.

Budget Amendment Request – Expenditure of 9-1-1 Funds. Ron Alles reported that at the last SSD Board meeting, Police Chief Troy McGee brought forward three recommendations for expenditure of 9-1-1 funds for unanticipated expenses.

1. Add \$33,498 to the budget for the purpose of upgrading the E-9-1-1 system. They had previously budgeted \$60,000 for the project in FY99 and FY00, but due to delays they did not budget for it in FY01 and FY02 because they had no firm time frame for completion.
2. A one-time installation and cost of an alternate 9-1-1 site located at the Helena Regional Airport at the Fire Dispatch Center in the event the Law Enforcement Center becomes inoperable or is damaged. The installation cost is \$1,000 and the recurring monthly charge is \$417.
3. Transfer of \$10,000 to the salaries section of the Records and Dispatch budget for anticipated overtime and on-call salaries for SSD personnel. They do not anticipate using the entire amount but would like the authority to expend it if necessary.

Commissioner Murray stated that these budget amendments require approval from both the City and County Commissions. Commissioner Varone moved that the Commission approve the budget amendments. Commissioner Loendorf seconded the motion and it carried unanimously.

Fire Fighting Assistance Agreement V436P-3456. Commissioner Murray stated that the Sheriff and Fire Chief are in agreement with this contract with the Department of Veterans Affairs for fire suppression equipment and personnel. The county is awaiting approval of legal content from the county attorney's office. Commissioner Murray stated that since Commissioner Loendorf negotiated this contract with the Department of Veterans Affairs, she should sign the agreement on behalf of the Commission. Commissioner Varone moved that the Commission approve the contract contingent on legal counsel's approval and authorized Commissioner Loendorf to sign. Commissioner Loendorf seconded the motion and it carried unanimously.

Commissioner Assignments Revision. (cont. from 01/08/02) Following discussion, Commissioner Loendorf stated she would resign her position on both the Transportation Coordinating Committee and the Transportation Plan Monitoring Committee and those appointments shall be re-assigned to Commissioner Varone. Commissioner Varone moved to accept the assignments. Commissioner Loendorf seconded the motion and it carried unanimously.

1099 Consent Form 6847. Ron Alles reported that in order to pay the county's medical providers, 1099 information must be released through the IRS. The IRS requested that the Commission sign Consent Form 6847 for this purpose. Commissioner Varone moved to authorize the chairman to sign 1099 Consent Form 6847. Commissioner Loendorf seconded the motion and it carried unanimously.

Resolution Ordering a Refund of Taxes and Assessments Paid. Cheryl Green reported that these refunds are a result of House Bill 381, which instructed the Montana Department of Revenue to bill only one property owner for properties owned by multiple owners with undivided interests. Some joint ownerships were not combined prior to the issuance of tax bills and were paid before the new bills could be sent out. Commissioner Varone moved that the Commission approve the resolution to the individuals listed on the attachment and authorized the chairman to sign. Commissioner Loendorf seconded the motion and it carried unanimously.

Discussion on Tax Deed Properties. Cheryl Green reported that there were three pieces of property left in the tax deed process that had not been redeemed. She and Sharon Haugen visited the sites and took photographs. If the county decides to keep any of this property then a tax deed would be issued to the county. If the county decides to not keep any of the property, within six months an auction is held and it is sold.

1. No-Title Building. Mill Building, 886' x 72' x 24' high structural building situated on J. V. Claim numbers 116 and 118 in Township 13 North, Range 7 West, Lewis and Clark County, Montana, MMC 53713 & MMC 53715. Commissioner Murray stated that staff had reviewed the site and found that it would not be cost-effective to move the building for county use. Cheryl Green spoke with the Forest Service and they stated that they would most likely require the county to remove the structure from the property, as it is Forest Service land. However, if the county took the tax deed to the building, she is unsure if the Forest Service would then want to take the structure from the county. Commissioner Murray directed staff to contact the Canyon Creek Fire Chief and the Sheriff's Department to discuss moving the structure to Wilbur to serve as a fire hall or using it for another type of law enforcement facility. Commissioner Loendorf moved to table the decision until February. Commissioner Varone seconded the motion and it carried unanimously.

2. Part of NE $\frac{1}{4}$  NE $\frac{1}{4}$  NW  $\frac{1}{4}$ , being 2 acres, more or less, in Section 19, Township 11 North, Range 2 West. Sharon Haugen reported that it is a narrow strip of land and from its appearance; it is not likely you would be able to install water and sewer service. Commissioner Varone moved that Lewis and Clark County take the tax deed to the property. Commissioner Loendorf seconded the motion and it carried unanimously.

3. Lots numbered 9A and 10 in Block 30 of the Original Townsite of said City of East Helena. Cheryl Green reported that this property is located next to Prickly Pear Creek, and is being used as a backyard. Sharon Haugen stated that the property seemed to be in the floodplain and the only access is through an alley. Commissioner Loendorf moved to table the decision until February. Commissioner Varone seconded the motion and it carried unanimously.

Ackerman Discussion. Commissioner Varone stated that she had spoken with Dennis Ackerman, who had recently purchased some property in the Augusta area through a Sheriff's sale. After the sale paperwork was completed, the indication was that all of the

back taxes had been paid. He received a back tax bill for \$17.18, along with his current tax bill of \$413.00. He feels that he should not be required to pay the back tax amount. Cheryl Green stated that this was a penalty of interest charge and statutorily she cannot remove that fee. Mr. Ackerman stated that Great Falls removes the penalty of interest charges. Commissioner Varone asked staff to call Great Falls and verify his claim.

There being no further business the meeting was adjourned at 10:00 a.m.